



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 28 2011

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Mr. David Levenstein, Document Manager  
Office of Environmental Compliance (EM-41)  
U.S. Department of Energy  
P.O. Box 2612  
Germantown, MD 20874

Dear Mr. Levenstein:

In accordance with our responsibilities under Section 309 of the Clean Air Act, and the National Environmental Policy Act, the Environmental Protection Agency (EPA) has reviewed the Department of Energy's (DOE) Final Environmental Impact Statement (EIS) for the Long-Term Management and Storage of Elemental Mercury (CEQ# 20110019).

We appreciate DOE's efforts to enhance and clarify the document by addressing our comments regarding both the Resource Conservation and Recovery Act and Environmental Justice. For example the document is much clearer regarding the human health and ecological risk assessment analysis. It was also improved by highlighting the possibility of unique exposure pathways (e.g., subsistence fishermen) and the linguistic isolation for transportation accidents. However, as DOE prepares its mitigation action plan following the completion of the EIS and associated Record of Decision, we re-emphasize the importance of aligning the environmental justice analysis with that mitigation plan, in particular in emergency response planning (e.g., Health Professional Shortage Area status and age related vulnerabilities) and reducing potential mercury vapor emissions from the storage facility operations.

Based on our review of the final EIS, we do not object to the implementation of this action. We appreciate the opportunity to review and comment on this document. If you have any further questions you may contact me at (202) 564-5400. You may also call my staff point of contact, Marthea Rountree. She can be reached at (202) 564-7141.

Sincerely,

A handwritten signature in cursive script that reads "Susan E. Bromm".

Susan E. Bromm  
Director  
Office of Federal Activities